



The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

Village at Winnepesaukee, Inc  
Attn: Dick O'Donnell  
243 Endicott Street, North  
PO Box 5284  
Laconia, NH 03247

LETTER OF DEFICIENCY  
WMB-BWQ-2004-02  
April 30, 2004

**File: 1207, Village at Winnepesaukee, Laconia**

Dear Mr. O'Donnell:

On April 23, 2004, personnel from the Department of Environmental Services (DES) conducted an inspection of the Village at Winnepesaukee Timeshare Owner's Association, located in Laconia, New Hampshire, more specifically identified on Laconia Tax Map 23L, Lot 252-3 ("the property"). The purpose of this inspection was to determine compliance with RSA 485-A:8, NH Administrative Rules Ws 1700 *et seq.*

Based on the investigation the following deficiency was identified:

- a. A sediment plume in Paugus Bay, Lake Winnepesaukee, extending more than 50 ft. from the stormwater discharge located near the Landing Marina off Centennary Ave. The transported sediment originated down slope of the properties stormwater discharge.

The results of the water analyses and station location are provided below:

Station ID	Station Description	Nephelometric Turbidity Unit (NTU)
1207-PS001	Lake Winnepesaukee at stone culvert discharge	171
1207-PS002	Upstream of railroad bed in vegetated swale	835
1207-PS003	Down slope of failed clay embankment in stormwater runoff	1099
1207-PS004	Up slope of failed clay embankment, just down slope of Village of Winnepesaukee storm water runoff	2.19

The background turbidity level for Lake Winnepesaukee is less then one NTU. The deposition of sediment resulting in turbidity and benthic deposits to a Class B waterbody is a violation of the following surface water quality standards:

1. General Water Quality Criteria [Env-Ws 1703.03] which states that all surface waters shall be free from substances in kind or quantity which settle to form harmful deposits.
2. Benthic Deposits [Env-Ws 1703.08] which states that Class B waters shall contain no benthic deposits that have a detrimental impact on the benthic (lake bottom) community.
3. Turbidity [Env-Ws 1703.11] which states that Class B waters shall not exceed the naturally occurring conditions by more than 10 NTUs.

You are responsible for avoiding future violations of water quality standards. Compliance with the cited deficiency can be achieved by conducting the following remedial actions:

Install temporary erosion control measures to prevent eroded material from discharging to Lake Winnepesaukee. DES recommends that the Erosion control be installed or inspected by an erosion control professional and maintained until a permanent solution preventing further erosion has been achieved. Please notify the DES Watershed Management Bureau within 24 hours of installing the temporary erosion control.

2. Hire a professional to design a remedy, preventing the Village at Winnepesaukee storm water runoff to cause further violations of State water quality standards. DES has been notified of design to construct a stormwater detention system. Please send a copy of the design to the DES Watershed Management Bureau for review. The Village at Winnepesaukee is responsible for obtaining all necessary local and state permits.
3. Submit specific construction start and completion dates for the stormwater detention system. This should include details on contractor(s) availability, parts order and delivery dates, preliminary site work/assembly, ground breaking, installation, on-line detention system, final grading and site work/erosion control. It is recommended that the storm water detention system be immediately scheduled for construction to minimize the potential impact to Lake Winnepesaukee by failure of temporary erosion controls.

Compliance with the cited deficiencies can be achieved by proper installation of erosion control measures to avoid violations of state water quality standards.

*In addition a report, that includes design plans, outlining how compliance has been and will be achieved according to the outlined remedial action should be submitted to DES within 30 calendar days from receipt of this letter.* In the event that appropriate actions are not taken, DES may order you to take remedial measures as may be necessary. Failure to comply with RSA 485-A:8 will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. In addition, DES personnel may conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with the applicable statute.

Please be assured that DES appreciates your willingness to cooperate to remedy the water quality impacts. I am confident that we can find a solution to the storm water and water quality concerns. If you have any questions, please contact Andy Chapman at 603-271-5334 or [achapman@des.state.nh.us](mailto:achapman@des.state.nh.us).

Sincerely,

  
**COPY**

Jody Connor  
Limnology Center Director

Certified Mail # 7000 1670 0000 0585 9244

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cc: ✓ Gretchen R. Hamel, Legal Unit Administrator, DES  
Russell A. Nylander, P.E., Chief Engineer-WD/DES  
Jocelyn Degler, DES Wetlands Bureau (Files 2001-715, 2003-203)  
Jay Poulin, HEB Engineers  
Raymond Faliti, Village of Winnepesaukee Detention System Chair  
DES Watershed Management Bureau File (#1207)